

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

INTERSCOPE RECORDS, et al.)
)
Plaintiffs,)
)
v.) Case No. 05-0175-CV-W-DW
)
)
CHERI STEGNER,)
)
Defendant.)

ORDER

Pending before the Court is Plaintiff's Motion for Entry of Default Judgment By The Court (Doc. 16).

The Plaintiffs filed their complaint in this case on February 28, 2005, and timely served the Defendant shortly thereafter. The Defendant's answer was due in April 2005, but Defendant has failed to file one or otherwise respond to the complaint. As a result, the Plaintiffs have moved for default and default judgment pursuant to Federal Rule of Civil Procedure 55.

Plaintiffs do not request an evidentiary hearing. After consideration of the Application and supporting declaration and the record in this case, the Court:

1. Orders the Clerk of the Court to enter a default and default judgment against Defendant, pursuant to Federal Rule of Civil Procedure 55;
2. Orders Defendant to pay Plaintiffs the minimum statutory damages in the amount of \$750 for each of the ten (10) acts of infringement by Defendant, totaling \$7,500.00. 17 U.S.C. § 504(a)(2), 504(c);
3. Orders that Defendant be permanently enjoined from directly or indirectly

infringing Plaintiffs' rights under state or federal law in the copyrighted sound recordings, and all works existing now or in the future, owned by Plaintiffs and Plaintiffs' affiliates, including without limitation, by using the Internet or any online media distribution system to reproduce or distribute or make available for distribution to the public any of Plaintiffs' recordings, except pursuant to a lawful license or with the express authority or Plaintiffs. Defendant shall also destroy all copies of Plaintiffs' recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control. 17 U.S.C. § 502;

4. Orders that Defendant pay Plaintiffs costs of this suit in the total of \$300.00. 17 U.S.C. § 505, Larigan Declaration ¶ 6.

The Court directs the Clerk of the Court to send by certified mail a copy of this Order to the Defendant's last known address.

IT IS SO ORDERED.

/s/ DEAN WHIPPLE
Dean Whipple
United States District Judge

Date: November 28, 2005